

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

CALNET, Inc.,)	
)	
)	
Plaintiff,)	
and)	
)	
KALEEM SHAH,)	
)	
Counterclaim Defendant,)	
)	
v.)	Civil Action No. 1:14-cv-401 LOG/JFA
)	
CLOUDSILVER CONSULTING LLC,)	
<i>et al.,</i>)	
)	
Defendants/Counterclaimants.)	
)	

**JOINT MOTION FOR VOLUNTARY DISMISSAL OF
CALNET, INC.’S CLAIMS AGAINST CLOUDSILVER CONSULTING LLC
AND ANTHONY SCOLARO AND ANTHONY SCOLARO’S
COUNTERCLAIM AGAINST CALNET, INC. AND KALEEM SHAH
PURSUANT TO FED. R. CIV. P. 41(a)(2)**

Plaintiff and Counterclaim Defendant CALNET, Inc. (“CALNET”), Counterclaim Defendant Kaleem Shah (“Shah”), Defendant CloudSilver Consulting LLC (“CloudSilver”), and Defendant and Counterclaim Plaintiff Anthony F. Scolaro (“Scolaro”), (collectively, the “Parties”) hereby move this Court jointly, pursuant to Federal Rule of Civil Procedure 41(a)(2), for an Order dismissing with prejudice the claims and counterclaims among and between the Parties, pursuant to a Confidential Settlement Agreement and Mutual Release entered into by the Parties on November 19, 2014.

As grounds for this Motion and good cause, the Parties state as follows:

1. On May 24, 2014, CALNET filed its First Amended Complaint against Defendants CloudSilver and Scolaro (Docket No. 24).¹ Specifically, in its First Amended Complaint CALNET asserted Counts I through XIII against Scolaro, and Counts I, II, IX, and XI against Cloudsilver, among other defendants.

2. On July 21, 2014, Defendants CloudSilver and Scolaro filed an Answer to the First Amended Complaint, and Scolaro also asserted a Counterclaim against CALNET and Shah (“Scolaro Counterclaim”) (Docket No.47). Specifically, Scolaro asserted Count I of the Counterclaim against CALNET and Shah.

3. On August 12, 2014, Counterclaim Defendants CALNET and Shah filed an Answer to the Scolaro Counterclaim (Docket No. 50).

4. Since the Parties’ filing of the First Amended Complaint, Scolaro Counterclaim, and respective Answers, CALNET, Shah, CloudSilver, and Scolaro have entered into a Confidential Settlement Agreement and Mutual Release to resolve the dispute giving rise to the claims between and among them.

5. Federal Rule of Civil Procedure Rule 41(a)(2) allows the dismissal of an action “at the plaintiff’s request . . . on terms that the court considers proper.”

6. Given the confidential terms of the settlement reached, CALNET has determined that it no longer wishes to proceed prosecuting its claims against CloudSilver and Scolaro in this action, and Scolaro has determined that he no longer wishes to proceed prosecuting his counterclaim against CALNET and Shah in this action.

¹ CALNET also filed its First Amended Complaint against Defendants Kris Menon and Feizal Mohideen, however they are not parties to the Confidential Settlement Agreement and Mutual Release that is the basis for the instant motion. By this Motion, CALNET is not releasing any claims against Defendants Menon or Mohideen.

7. No prejudice will result from the dismissal of the First Amended Complaint as to all counts against CloudSilver and Anthony F. Scolaro.

8. No prejudice will result from the dismissal of the Scolaro Counterclaim as to CALNET and Shah.²

9. As the relief sought will simplify and streamline this action for the remaining parties and the Court, no prejudice will result to the Parties to the instant motion or Defendants Kris Menon or Feizal Mohideen who remain in the action.

10. The parties have agreed to waive oral argument with respect to the relief sought by this consent motion.

For all the foregoing reasons, Plaintiff and Counterclaim Defendant CALNET, Inc., Counterclaim Defendant Kaleem Shah, Defendant CloudSilver Consulting LLC, and Defendant and Counterclaim Plaintiff Anthony F. Scolaro, respectfully request that this *Joint Motion for Voluntary Dismissal of CALNET, Inc.'s Claims Against Cloudsilver Consulting LLC and Anthony Scolaro and Anthony Scolaro's Counterclaim Against CALNET Inc. and Kaleem Shah* be granted and that the Court endorse the proposed Order filed herewith.

² By this Motion, Scolaro is not intending to seek dismissal of Defendant and Counterclaim Plaintiff Kris Menon's counterclaims against CALNET and Shah.

November 20, 2014

Respectfully submitted,

CALNET, INC.
KALEEM SHAH
By counsel

/s/

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*Counsel for Defendants CloudSilver Consulting
LLC and Anthony F. Scolaro*

**signed by John M. Remy with permission*

CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2014, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record in this matter:

/s/

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